

CLASSIFICATION OFFICE DECISION

Title of publication: IMG_20180922_171338_2.jpg

Other known title(s): Not stated

OFLC ref: 1900382.012

Medium: Image File

Publisher: Not stated

Country of origin: Aotearoa New Zealand

Language: Not applicable

Applicant: Comptroller of Customs

Classification: Objectionable.

Descriptive note: None

Display conditions: None

Date of entry in Register: 27 September 2019

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 27 September 2019

Summary of reasons for decision:

The image file promotes and supports the exploitation of young persons for sexual purposes and is deemed to be objectionable under s3(2)(a) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). The image is an explicit photograph of a teenage girl having a sexual act performed on her. The sole purpose of the image is sexual arousal. The continued availability of such material encourages and reinforces a sexual interest in young people and perpetuates the sexual exploitation of the girl involved. The classification of this publication interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention that publications falling under s3(2)(a) of the FVPC Act be banned. It also reflects the concern of a free and democratic society to protect its young and vulnerable members from sexual exploitation.